Amendment Under 37 C.F.R. § 1.116

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IN THE CLAIMS:

 (Currently Amended) An image pickup apparatus taking a first image including only a background but not an object and a second image including the object, and having a shutter button for releasing a shutter, comprising:

a time measuring portion measuring a time after said shutter button is manually pressed;

an output selecting portion outputting only a single image taken when a first predetermined period of time is measured by said time measuring portion as [[one of]] said first image [[and second images]], and outputting an image taken when a second predetermined period of time is further measured by said time measuring portion after the first period of time as the other-of-said first and second images image, wherein said first image is updated by using an image of a region other than the object region of said second image every time a prescribed period is elapsed, only a single image is taken before said second predetermined time is measured, and said shutter button is located on a body of said image pickup apparatus.

 $2. \ (Previously\ Presented)\ The\ image\ pickup\ apparatus\ according\ to\ claim\ 1,\ further\ comprising:$

a region extracting portion using said first and second images for outputting information of an object region of said second image; and

a recording portion recording positional information data of said object region, and one of data representing said second image and image data included in said object region onto a recording region.

- $\label{eq:condition} 3. \mbox{ (Original) The image pickup apparatus according to claim 1, further comprising:}$
- a region extracting portion using said first and second images for outputting positional information of an object region of said second image;

an image composing portion replacing an image in a region other than said object region of said second image with a prepared background image; and

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a recording portion recording data of the image composed by said image composing portion onto a recording medium.

- 4. (Cancelled)
- 5. (Cancelled)
- (Original) The image pickup apparatus according to claim 1, further comprising a recording portion recording the data of said first image and second image onto a recording medium.
- 7. (Original) The image pickup apparatus according to claim 1, further comprising a notifying portion notifying a timing at which pickup of said first image is finished and a timing at which pickup of said second image is started.
- (Previously Presented) The image pickup apparatus according to claim 2, wherein said recording portion records said positional information data in a compressed form.
- (Original) The image pickup apparatus according to claim 3, wherein said recording portion records said data in a compressed form.
- 11. (Currently Amended) An image pickup apparatus taking a first image including only a background but not an object and a second image including the object, and having a shutter button for releasing a shutter, comprising:
- a time measuring portion measuring a time after said shutter button is manually pressed; and an output selecting portion outputting only a single image taken when a first predetermined period of time is measured by said time measuring portion as one of said first and second images, and outputting an image taken when a second predetermined period of time is further measured by said time measuring portion

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after the first period of time as the other of said first and second images, wherein,

only a single image is taken before said second predetermined time is measured, and

said shutter button is located on a body of said image pickup apparatus.